7367145/2023/REG-PRRD-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Suits - RWS&S Department – Disciplinary Proceedings initiated against Sri A.S.A. Rama Swamy, the then Executive Engineer, RWS&S Sub-Division, Kovvuru and presently working as Executive Engineer, RWS&S Division, Bhimavaram on the allegation of non implementation of Hon'ble A.P. High Court Orders dated 05.10.2021 in W.P.No.17572 of 2021 filed by Sri Alapati Bramhanandam, resident of Devarapalli Mandal, West Godavari District covered under the Batch cases of W.P.No.10038/2021 and thereby Hon'ble High Court of A.P. issued Notice in Form-I in C.C. No. 731 of 2022 to the Respondents – Further action dropped – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.VI) DEPARTMENT

G.O.Rt.No.84 **Dated:01-03-2023**

Read the following:-

1. G.O.Rt.No.394, P.R. & R.D.(Vig.VI) Dept., dated 22.04.2022.
2. From Sri A.S.A.Rama Swamy, the then Executive Engineer, RWS&S Sub-Division, Kovvuru and presently working as Executive Engineer, RWS&S Division, Bhimavaram, written statement of defence, dated 'NIL'.
3. From the Engineer-in-Chief, RWS&S, Vijayawada, letter No.Vig.II/394 / RWS&S/2022, dated 25.10.2022

* * *

O R D E R:

Whereas, in the reference 1st read above, Government have initiated Disciplinary Proceedings initiated against Sri A.S.A. Rama Swamy, the then Executive Engineer, RWS&S Sub-Division, Kovvuru and presently working as Executive Engineer, RWS&S Division, Bhimavaram on the allegation of non implementation of Hon'ble A.P. High Court Orders dated 05.10.2021 in W.P.No.17572 of 2021 filed by Sri Alapati Bramhanandam, resident of Devarapalli Mandal, West Godavari District for the work CC open drains in Kurukuru Village of Devarapalli Mandal, covered under the Batch cases of W.P.No.10038/2021 and thereby Hon'ble High Court of A.P. issued Notice in Form-I in C.C. No. 731 of 2022 to the Respondents.

2. And whereas, in the reference 2nd read above, the Charged Officer Sri A.S.A. Rama Swamy, the then Executive Engineer, RWS&S Sub-Division, Kovvuru and presently working as Executive Engineer, RWS&S Division, Bhimavaram in his written statement of defence has stated that, upon receipt of Hon'ble A.P., High Court orders dated 05.10.2021 in W.P.No.17572 of 2021 along with other Batch cases in W.P.No.10038 of 2021, he has brought the same to the notice of PD., DWMA., Eluru, and the Commissioner, RD, Chief Engineer-IV, RWS&S, Vijayawada. He has further stated that, he approached the Finance Department and requested them to release the funds and pay the FTOs. In turn, the Commissioner, Rural Development and Finance Department have released funds and the payments were made to the Petitioner on 28.04.2022. Finally, the Charged Officer has requested to drop further action against him in the interest of justice.

3. In the reference 3rd read above, the Engineer-in-Chief, RWS&S has furnished his specific remarks on the written statement of defence submitted by the charged Officer, and stated that, the Petitioner Sri Alapati Bramhanandam, resident of Devarapalli Mandal, West Godavari District has approached the Hon'ble A.P.High Court by filing W.P.No.17572 of 2021 for payment of Rs.55,02,739/- for the work CC open drains in Kurukuru Village of Devarapalli Mandal. The Hon'ble High Court of A.P., in its Orders dated 05.10.2021 in W.P.No.17572 of 2021 covered under the Batch cases of W.P.No.10038/2021, have directed the Respondents "to clear the bills submitted by the Petitioners and to release payments forthwith, in case of no payment is made till date". Accordingly, the charged Officer has requested the Commissioner, PR & RD, Guntur for release of Rs.39,00,924/- towards clearing the pending bills of the Petitioner, as per the directions of Hon'ble High Court.

(P.T.O)

Subsequently, the Hon'ble A.P. High Court issued Notice in Form-I to the Respondents and directed to appear in Person on 05.05.2022. Accordingly, the payment of Rs.37,39,510/- (i.e., Total Amount of Rs.56,02,736/- (-) V&E Recoveries Rs.16,07,621/- + Rs.2,55,605/- towards statutory deductions) was made to the Petitioner on 28.04.2022 and the Charged Officer has submitted the same to the Hon'ble High Court by filing counter affidavit in the CC.731/2022. The Engineer-in-Chief, RWS&S has further stated that, as per the advice of Govt. Pleader for PR&RD, a review petition has also been filed on V&E recoveries and Statutory recoveries. Finally, the Engineer-in-Chief, RWS&S has opined that there is no deliberate violation of the orders of the Hon'ble A.P. High Court and requested the Government to exonerate Sri A.S.A.Rama Swamy, the then Executive Engineer, RWS&S Division, Kovvur and presently working as District RWS Engineering Officer, Bhimavaram from the charge framed against him.

4. Government after careful examination of the matter, have agreed with the recommendations of the Engineer-in-Chief, RWS&S, Vijayawada, for dropping the charge framed against Sri A.S.A.Rama Swamy, the then Executive Engineer, RWS&S Sub-Division, Kovvuru and presently working as Executive Engineer, RWS&S Division, Bhimavaram, as there is no deliberate violation of the orders of the Hon'ble A.P. High Court.

5. Accordingly, Government hereby drop further action against Sri A.S.A.Rama Swamy, the then Executive Engineer, RWS&S Sub-Division, Kovvuru and presently working as Executive Engineer, RWS&S Division, Bhimavaram, as there is no deliberate violation of the orders of the Hon'ble A.P. High Court.

6. The Engineer-in-Chief, RWS&S, Vijayawada shall take further necessary action accordingly.

7. The receipt of the G.O., shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri A.S.A.Rama Swamy, the then Executive Engineer,
RWS&S Sub-Division, Kovvuru and presently working as Executive Engineer,
RWS&S Division, Bhimavaram (through the Engineer-in-Chief, RWS&S, Vijayawada.)
The Engineer-in-Chief, RWS&S, A.P., Vijayawada.
Copy to:
The PR & RD (Estt-II) Department.
The Govt. Pleader for PR&RD, Hon'ble High Court of A.P., Amaravati.
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER